

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Attorney Docket No.	201853/12
First Inventor	Fagan et al.
Title	METHOD OF TREATING MUNICIPAL SOLID WASTE
Express Mail Label No.	EL983812199US

U.S. PTO  
22-54  
10/724682



**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 13 ]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications (*if applicable*)
  - Statement Regarding Fed sponsored R & D (*if applicable*)
  - Reference to sequence listing, a table, or a computer program listing appendix (*if applicable*)
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (*if filed*)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 2 ]
5. Oath or Declaration [ Total Pages  ]  
 a.  Newly executed (original or copy)  
 b.  Unsigned  
 c.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*
  - i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)
6.  Application Data Sheet. See 37 CFR 1.76

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies; or
    - ii.  paper
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of Attorney
11.  English Translation Document (*if applicable*)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16.  Nonpublication request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  A copy of the five-month extension in the prior application.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation     Divisional     Continuation-in-part (CIP)    of prior application No.: 09/692,925

Prior application information:

Examiner: J. Lee

Group / Art Unit: 3673

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label				or <input checked="" type="checkbox"/> Correspondence address below

Name	Nixon Peabody LLP Clinton Square, P.O. Box 31051			
Address				
City	Rochester	State	NY	Zip Code
Country	USA	Telephone	(585) 263-1128	Fax

Name (Print/Type)	Edwin V. Merkel	Registration No.: 40,087	
Signature			Date
			December 1, 2003

# FEE TRANSMITTAL FOR FY 2003

*Patent fees are subject to annual revision.*

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 385)

<i>Complete if Known</i>	
Application Number	To be Assigned
Filing Date	Herewith
First Named Inventor	Fagan et al.
Examiner Name	To be Assigned
Art Unit	To be Assigned
Attorney Docket No.	201853/12

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None

Deposit Account:

Deposit Account Number

14-1138

Deposit Account Name

Nixon Peabody LLP

## The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(\\$)	(\\$)
1001	770	2001	385 Utility filing fee
1002	340	2002	170 Design filing fee
1003	530	2003	265 Plant filing fee
1004	770	2004	385 Reissue filing fee
1005	160	2005	80 Provisional filing fee
<b>SUBTOTAL (1)</b>			<span style="border: 1px solid black; padding: 2px;">(\$ 385)</span>

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Fee from below		Fee Paid
		Extra Claims	Fee Code	
8	-20** =	0	X	<span style="border: 1px solid black; padding: 2px;">0</span>
2	-3** =	0	X	<span style="border: 1px solid black; padding: 2px;">0</span>
Multiple Dependent		X		<span style="border: 1px solid black; padding: 2px;">0</span>

Large Entity	Small Entity	Fee Description		
Fee Code	Fee Code	(\\$)		
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2)</b>			<span style="border: 1px solid black; padding: 2px;">(\$ 0)</span>	

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

#### Large Entity      Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	420	2252	210	Extension for reply within second month
1253	950	2253	475	Extension for reply within third month
1254	1,480	2254	740	Extension for reply within fourth month
1255	2,010	2255	1,005	Extension for reply within fifth month
1401	330	2401	165	Notice of Appeal
1402	330	2402	165	Filing a brief in support of an appeal
1403	290	2403	145	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,330	2453	665	Petition to revive - unintentional
1501	1,330	2501	665	Utility issue fee (or reissue)
1502	480	2502	240	Design issue fee
1503	640	2503	320	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))
1801	770	2801	385	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application
Other fee (specify) _____				

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ )

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop \_\_\_\_\_, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or printed name

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

Edwin V. Merkel

Registration No.  
(Attorney/Agent)

40,087

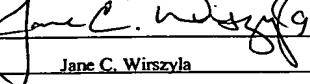
Telephone (585) 263-1128

Signature

Date

December 1, 2003

SEND TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number: 201853/11										
<p><b>CERTIFICATE OF MAILING</b>            I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or being facsimile transmitted to the USPTO on December 1, 2003.</p> <p>Signature: </p> <p>Name: <u>Jane C. Wirszyla</u></p>												
<p>In re Application of Fagan et al.</p> <p>Application Number 09/692,925 Filed October 20, 2000  <b>For METHOD OF TREATING MUNICIPAL SOLID WASTE</b></p> <table border="1"> <tr> <td>Group Art Unit 3673</td> <td>Examiner J. Lee</td> </tr> </table>			Group Art Unit 3673	Examiner J. Lee								
Group Art Unit 3673	Examiner J. Lee											
<p>This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.</p> <p>The requested extension and appropriate entity fee are as follows            (check time period desired):</p> <table> <tr> <td><input type="checkbox"/> One month (37 CFR 1.17(a)(1)) - (\$55/\$110)</td> <td>\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) - (\$210/\$420)</td> <td>\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Three months (37 CFR 1.17(a)(3)) - (\$475/\$950)</td> <td>\$ _____</td> </tr> <tr> <td><input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) - (\$740/\$1480)</td> <td>\$ _____</td> </tr> <tr> <td><input checked="" type="checkbox"/> Five months (37 CFR 1.17(a)(5)) - (\$1005/\$2010)</td> <td>\$ <u>1,005</u></td> </tr> </table> <p><input checked="" type="checkbox"/> Applicant claims small entity status.</p> <p><input checked="" type="checkbox"/> A check to cover the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account Number <u>14-1138</u>. I have enclosed a duplicate copy of this sheet.</p> <p>I am the <input type="checkbox"/> applicant/inventor</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71.            Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).</li> <li><input checked="" type="checkbox"/> attorney or agent of record.</li> <li><input type="checkbox"/> attorney or agent under 37 CFR 1.34(a).            Registration number if acting under 37 CFR 1.34(a) _____.</li> </ul> <p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <p>            Date <u>December 1, 2003</u></p> <p>            Signature</p> <p><u>Edwin V. Merkel</u>            Typed or printed name</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p> <p>_____</p>			<input type="checkbox"/> One month (37 CFR 1.17(a)(1)) - (\$55/\$110)	\$ _____	<input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) - (\$210/\$420)	\$ _____	<input type="checkbox"/> Three months (37 CFR 1.17(a)(3)) - (\$475/\$950)	\$ _____	<input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) - (\$740/\$1480)	\$ _____	<input checked="" type="checkbox"/> Five months (37 CFR 1.17(a)(5)) - (\$1005/\$2010)	\$ <u>1,005</u>
<input type="checkbox"/> One month (37 CFR 1.17(a)(1)) - (\$55/\$110)	\$ _____											
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) - (\$210/\$420)	\$ _____											
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3)) - (\$475/\$950)	\$ _____											
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) - (\$740/\$1480)	\$ _____											
<input checked="" type="checkbox"/> Five months (37 CFR 1.17(a)(5)) - (\$1005/\$2010)	\$ <u>1,005</u>											

SEND TO: Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**EXPRESS MAIL CERTIFICATE**

DOCKET NO.: **201853/12**

APPLICANTS: **Dennis A. Fagan and Paul E. Sullivan**

TITLE: **METHOD OF TREATING MUNICIPAL SOLID WASTE**

Certificate is attached to the **Utility Patent Application Transmittal Letter (1 page) (in duplicate) and Fee Transmittal (1 page) (in duplicate)** of the above-named application.

EXPRESS MAIL NUMBER: **EL983812199US**

DATE OF DEPOSIT: **December 1, 2003**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

## **EXPRESS MAIL CERTIFICATE**

**DOCKET NO.: 201853/12**

**APPLICANTS: Dennis A. Fagan and Paul E. Sullivan**

**TITLE: METHOD OF TREATING MUNICIPAL SOLID WASTE**

Certificate is attached to the copy of the **Drawings (2 sheets)** as filed in the prior application of the above-named application.

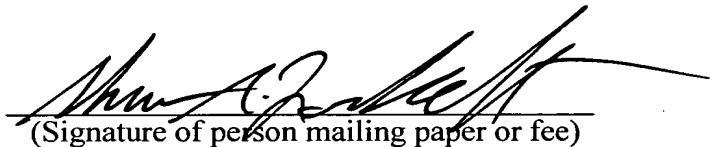
**EXPRESS MAIL NUMBER: EL983812199US**

**DATE OF DEPOSIT: December 1, 2003**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

**EXPRESS MAIL CERTIFICATE**

DOCKET NO.: **201853/12**

APPLICANTS: **Dennis A. Fagan and Paul E. Sullivan**

TITLE: **METHOD OF TREATING MUNICIPAL SOLID WASTE**

Certificate is attached to the **Patent Application including specification, claims and abstract (13 pages)** of the above-named application.

EXPRESS MAIL NUMBER: **EL983812199US**

DATE OF DEPOSIT: **December 1, 2003**

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Shawn A. Lockett

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**EXPRESS MAIL CERTIFICATE**

DOCKET NO.: **201853/12**

APPLICANTS: **Dennis A. Fagan and Paul E. Sullivan**

TITLE: **METHOD OF TREATING MUNICIPAL SOLID WASTE**

Certificate is attached to the copy of the **SIGNED Combined Declaration and Power of Attorney Form (4 pages)** as filed in the prior application of the above-named application.

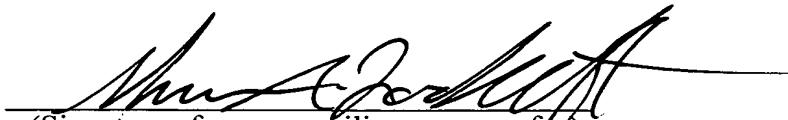
EXPRESS MAIL NUMBER: **EL983812199US**

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Shawn A. Lockett

(Typed or printed name of person mailing  
paper or fee)

  
(Signature of person mailing paper or fee)

**EXPRESS MAIL CERTIFICATE**

DOCKET NO.: **201853/12**

APPLICANTS: **Dennis A. Fagan and Paul E. Sullivan**

TITLE: **METHOD OF TREATING MUNICIPAL SOLID WASTE**

Certificate is attached to the copy of the **Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i) (1 sheet)** as filed in the prior application of the above-named application.

EXPRESS MAIL NUMBER: **EL983812199US**

DATE OF DEPOSIT: **December 1, 2003**

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Shawn A. Lockett

(Typed or printed name of person mailing  
paper or fee)



(Signature of person mailing paper or fee)

## **EXPRESS MAIL CERTIFICATE**

**DOCKET NO.:** **201853/12**

**APPLICANTS:** **Dennis A. Fagan and Paul E. Sullivan**

**TITLE:** **METHOD OF TREATING MUNICIPAL SOLID WASTE**

Certificate is attached to the copy of the **Five-Month Extension of Time (1 sheet)** as filed in the prior application of the above-named application.

**EXPRESS MAIL NUMBER:** **EL983812199US**

**DATE OF DEPOSIT:** **December 1, 2003**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett

(Typed or printed name of person mailing paper or fee)



(Signature of person mailing paper or fee)

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Fagan et al.
	Title	METHOD OF TREATING MUNICIPAL SOLID WASTE
	Atty Docket Number	201853/12

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 1, 2003

Date

Signature

Edwin V. Merkel

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

#### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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- deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop \_\_\_\_\_, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450
- transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) \_\_\_\_\_.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or printed name